

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 SSO-00 NSCE-00

USIE-00 INRE-00 AGRE-00 CEA-01 CIAE-00 COME-00

DODE-00 FRB-03 H-01 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 EPG-02 AID-05 SS-15 STR-04

ITC-01 TRSE-00 PRS-01 SP-02 FEAE-00 OMB-01 AF-10

ARA-06 NEA-10 OIC-02 /129 W

-----201804Z 106137 /46

O R 201701Z MAY 77

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 7545

INFO AMEMBASSY TOKYO

USMISSION EC BRUSSELS

USMISSION OECD PARIS

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EO 11652: NA

TAGS: ETRD, GATT, JA

SUBJ: GATT COUNCIL DISCUSSION OF ZENITH

REF: STATE 115324

1. MISSION INFORMED JAPANESE DEL (UKAWA) OF US POSITION AS SET FORTH REFTEL. THEY PLEASSED AT OUR AGREEMENT TO INCLUDE AND SUBSEQUENT US ACTION IN TERMS OF REFERENCE. THEY ALSO REQUESTED INCLUSION OF "AND REPORT EXPEDITIOUSLY TO COUNCIL" TO WHICH WE AGREED. WE ALSO BOTH AGREED TO DELETE WORD "SUPPLEMENTARY" FROM TEXT ON ADVISE OF GATT SECRETARIAT THAT IT TECHNICALLY INCORRECT.

2. UKAWA NOTED THAT GOJ SOMEWHAT DISAPPOINTED THAT TERMS OF REFERENCE DO NOT MAKE IT CRYSTAL CLEAR THAT WORKING PARTY SHOULD CONSIDER QUESTION OF CONSISTENCY OF US COURT DECISION AND SUBSEQUENT ACTION WITH GATT. WE AGREED

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IT WOULD BE APPROPRIATE FOR JAPAN TO STATE FOR THE RECORD THAT THIS IS THEIR UNDERSTANDING OF WP FUNCTION AND THAT US WOULD NOT TAKE ISSUE WITH THEIR ASSERTION.

3. WE ALSO INFORMED UKAWA THAT US WILL TAKE ISSUE WITH ANY CLAIM THAT SUSPENSION OF LIQUIDATION PER SE IS A GATT VIOLATION. HE STATED THEY WOULD PROBABLY HAVE TO

MAKE THIS POINT NOT ONLY IN WORKING PARTY BUT ALSO IN MAY 23 COUNCIL. WE RESPONDED THAT IF THEY MAKE POINT IN COUNCIL, WE WOULD MAKE CONTRARY ASSERTION. IN SUBSEQUENT DISCUSSION, BOTH EC (LUYTEN) AND GATT SECRETARIAT (PATTERSON) EXPRESSED VIEW THAT IT WOULD BE UNFORTUNATE IF US TOOK THIS POSITION IN COUNCIL AND WORKING PARTY. US DEL LOOKS FORWARD TO BRIEFING BY BARDEN ON INTRICACIES OF THIS ISSUE MORNING OF MAY 23.

4. JAPANESE AND SECRETARIAT SUGGEST COUNCIL CHAIRMAN PROPOSE FOLLOWING MEMBERSHIP OF WORKING PARTIES, WITH UNDERSTANDING ANY OTHER CPS DESIRING TO JOIN MAY DO SO: AUSTRALIA, BRAZIL, CANADA, EC, JAPAN, MALAYSIA, SWEDEN, SWITZERLAND, U.S., YUGOSLAVIA.

5. JAPANESE INFORM US FACILITIES WOULD BE AVAILABLE FOR FIRST MEETING OF WP ON MAY 31 AND THT CHAIRMAN FARNON WOULD BE AVAILABLE. PER BARRACLOUGH/BRUNGART TELECON, UNDERSTAND WE WILL BE INFORMED WHETHER THIS DATE ACCEPTABLE. SORENSON.

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Message Attributes

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Control Number: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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TAGS: ETRD, JA, US, GATT, ZENITH
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